

## **FE JOB EVALUATION RESPONSE**

### **BY ROLE ANALYSTS**

UNISON FE stewards, who made up the majority of the Trade Union role evaluators for this project, were not consulted or asked for input to this exercise despite the evidence from the UNISON Regional Organiser (RO) who stated she was a relatively new arrival to the project (after it had paused) and after several other key figures had moved on.

For those reasons, this response from stewards who were evaluators and heavily involved in the project should be indispensable to the committee. The former UNISON Regional Manager and national bargaining machinery joint secretary's input to the process is also detailed on the attached document.

The Committee asks for a response to the following questions and we have supplied our views to each one.

#### **• In your view, why has there been such slow progress of the job evaluation process?**

It is very clear that the project was poorly managed from Colleges Scotland from the outset and that it was also undermined by a lack of commitment by the employers to the project, and a persistent determination that control would be asserted by colleges over the process despite signing an agreement to the contrary.

#### **Staff changes**

Despite having a professional Job Evaluation expert as project manager (PM) from the outset, there was a long delay to the project starting and the PM left at a fairly early stage. The PM was replaced twice thereafter by Colleges Scotland PMs who were not Job Evaluation professionals but who had previously been project analysts on the employer's side. Three changes to the project manager did not provide consistency, continuity nor the opportunity to build on the project partnership approach established with the trade unions in the early days of the project. On the UNISON side alone, there have been four different joint secretaries throughout the project to date.

#### **Timelines**

It should be pointed out that the Glasgow Council JE project which has fewer roles has been running for five years with no end date and no suggestion of roles which are now out of date. JE projects in colleges with a hundred or so roles have historically taken between a year or two years. The timeline isn't then significantly longer than other projects despite the unilateral pause placed on it by the employers two years ago.

The project was undermined though prior to its launch by the setting of unrealistic timelines which were challenged repeatedly by the trade unions. These were ignored

by the management side who made it clear that it was their job to manage the project. These timelines seemed to have been arrived at from discussion with job evaluation experts over how many days it could take a JE professional to score a role. The trade unions advised before, during and after project launch that the timelines were unrealistic in view of the following:

- (1) Brand new analysts could not work at the pace of a JE professional. In addition ECC historically score roles on the basis of a Job Description (most in the sector are out of date and not detailed enough) not a JD & a full role outline questionnaire.
- (2) The quadruple scoring of roles (designed and agreed by the employers) was robust but time consuming. Midway through the project, at the employer's behest, this was reduced following a review. The TUs reluctantly agreed to this despite concerns about changing the project midstream. It was clear from a very early stage that the timeline, as UNISON had repeatedly warned, was seriously underestimated.
- (3) Inconsistencies from how colleges were instructing staff on how to fill out questionnaires required analysts to send questionnaires back for more information, sometimes more than once.
- (4) Some college line managers were unwilling to sign off information in questionnaires, creating more delays. There were disagreements between staff and managers of this nature causing more questionnaires to go back and forth until agreed.
- (5) No consideration was given to the fact that TU analysts were also undertaking some local stewarding duties which required diversion away from scoring. The requirement for analysts to continue their other stewarding duties was agreed at the outset but never properly factored into timelines (targets for TU analysts and non-trade union analysts were the same for example). It was clear from the beginning of the project that stewards would have to do some local work as there were not enough stewards or support from full-time officers across Scotland to cover local work. The employers were fully aware of this but did not properly factor this in. The trade unions supplied the vast majority of analysts to the project. The project management also did not charge the local colleges for this and the project continued to pay full costs for analysts. Again the Trade Unions asked the employers to consider this but they decided against doing so.
- (6) Normal sickness and annual leave levels were understated in the initial timelines and only really addressed in the second half of the project.
- (7) There were delays while the employers sought mid project reviews and changes to approaches. This was never planned and required unanticipated mid-project negotiation. A further review by ECC (at the behest of the employers) resulted in more training, rescoring and delay.
- (8) Late start to scoring by analysts. Despite concerns from Tus, analysts were started before the scoring guidance was ready. This led to delays while the guidance was agreed. It was felt by the analysts that the guidance and training were not sufficient, and more clarity was required to produce a consistency of approach to scoring.

- (9) The COVID crisis did impact on the timelines but not significantly, with most analysts continuing as normal working remotely scoring roles on the basis of completed job role questionnaires. Note that this continuation would not have been possible if the project was interviewing staff members as opposed to working from questionnaires. The decision taken to try to save time by working with questionnaires rather than interviewing staff must be viewed in retrospect as a good one. There were concerns raised, however, throughout the project over a lack of wellbeing for analysts from CES.
- (10) There was no agreement on how the qualitative review at the end of the project would be completed. Despite an agreement that this work would be done throughout, the employers wanted this done at the end. There was a view that this could be done quickly and easily at the end with which the Tus expressed concern. The chosen approach proved to result in another massive delay over a failure to agree on how this would be done.
- (11) These disagreements with the employers and trade unions were solely as a result of matters which had been agreed at the outset of the project but which the employers then wished to change midstream. While this is, of course, acceptable and arguably good project management to review progress in real time, it clearly brought with it delays as it required re-negotiation. The TUs had given plenty of warning to the employers in advance of matters which could impact on the project timeline and if these had been addressed early the timeline of the project would have been significantly shorter.

#### Unilateral pause by employers

This would bring about the single biggest delay to the project timeline and has seen a pause of almost two years while the employers sought to get their way.

After the agreement about how the quality review would be conducted was eventually resolved, exercises were undertaken and scores were revisited to ensure consistency and to correct any identifiable 'sore thumbs'.

This exercise was still under way when the employers insisted on sending **draft** rank orders out to the sector for early views in December 2022. This was not in the agreement, but the employers insisted. Trade unions knew that there was a sectoral desire to 'throw bricks at the project' and have the results thrown out and that is exactly what happened. In our view, this was because the employers were not in control of the outcomes or scores and their buy-in had been lacking from the outset.

Thereafter, the predictable feedback from the sector was to raise a considerable number of concerns about the scores which could have been avoided as there was still work to be done to complete the review. Most observers saw this as an attempt by the sector to try to reject the whole project and return it to local scoring, which would lack transparency and trust. The employers would then go on to suggest local scoring to resolve the impasse which was rejected. Note the idea about validity and

integrity of data is only a relatively recent development and reason by the employers to try to restart the whole exercise. This was never mentioned as an issue throughout the project.

The TUs were clear in advance of **draft** rank orders being shared with the sector, that this was another mistake by CES and that we should have waited until all scores had been rectified and adjusted particularly scores which seemed obviously wrong.

Regardless, before we could continue on with how we would address the concerns of the employers and conclude the quality review, a decision was taken by the employers to unilaterally pause the project stating that the SFC could not commit further money to the project to conclude it. The project then stalled for almost two years with the employers then approaching us to begin talks on how we could restart.

### Disputes

Evidence given that there were many “disputes” throughout the project is factually incorrect. There were relatively few and as the then UNISON full-time officer Lorcan Mullen wrote at the time, every attempt to avoid delay was made by unions even in times of dispute. In the detail below, the employers approach caused delay despite our best efforts.

College Employers Scotland’s move to take unilateral control of the final stages of the scoring and quality assurance processes, a fundamental breach of prior formal agreements and commitments to joint stewardship of this project. Recent actions and written proposals from the employers’ side depart from the agreed NJNC structures (the Job Evaluation Working Group, Side Table, the NJNC Secretariat) and this approach cannot continue.

College Employers Scotland’s repeated obstruction of reasonable quality assurance work by job analysts, again in breach of prior agreements

College Employers Scotland’s move to issue analysts with notice and begin the dismantling of crucial project infrastructure, without appropriate consultation or agreement with trade union partners. This infrastructure is being dismantled while work is outstanding, and agreements are being breached on e.g. new and evolved roles.

We call on the employers to commence dispute resolution processes immediately, in line with your formal commitments in the NRPA, to work towards agreements and necessary progress with this project. As status quo will apply until the dispute process is exhausted, only agreed work on job evaluation (conclusion of the ECC quality review process) can proceed. **With that said, we propose job analysts begin work on the job families quality assurance exercise, so analyst time and public funds are not being wasted while this dispute is addressed.**

For over a month, union negotiators have worked in vain to reach agreement and return to much-needed progress in the job evaluation project, and we have been immensely frustrated with the standard and seriousness of the engagement from sector representatives. The proposed QA exercise has been known to the employers since January, and the employer side’s obstruction of this work has wasted scarce time and resources and needlessly slowed progress on job evaluation.

We want nothing more than to see this project succeed, with owed money paid to members as soon as possible and fair and equitable pay rates settled for support staff across Scotland. Repeatedly, flagrantly breaching agreements with the trade unions is an obstacle to that

crucial work, and we urge a rapid change of approach on the part of the college employers, for the good of our members – your employees – and for the good of the sector.

Yours sincerely,

[REDACTED]  
[REDACTED]  
10<sup>th</sup> May 2022

Many areas of disagreement centred around the employers trying to breach agreements and change approach. In most of these cases, the trade unions reluctantly agreed to stop further delay to the project.

**• Has a timeline for the resolution of the job evaluation process been agreed, if so, is UNISON Scotland content with it?**

There is no current timeline but UNISON Scotland seem to be suggesting that it could take another two years and no work will begin until all outstanding negotiations are concluded. This timeline looks to be correct although that will depend on negotiations. Given the unilateral project pause by the employers, this will increase the number of new and evolved roles and, in turn, public money required to conclude the project. This was another bad decision by the employers and Graeme Dey has failed to address this despite being contacted and urged to do so by UNISON.

Debate has taken place over the last few months on a number of key areas but in particular, over whether we conclude the current project using the scores (we believe where the vast majority are correct and have already been reviewed externally by ECC) or start the whole thing again. We think it would be a mistake to restart the whole project and a colossal waste of public money to embark on a new process which does not have the faith or trust of staff or their elected reps. Given the time elapsed since the project began, new and evolved roles will also now have to be factored in. The argument seems to be that the method of gathering information at the start of the project could be somehow flawed. This approach, although designed by the employers' side, was agreed by all unions, all employers and ECC. It looks very much like an excuse to restart the project and bring about the scores the employers are seeking.

Other areas still to be agreed.

No detriment to any staff like the lecturers' exercise of 2017 (red line for UNISON members). This should mean that no roles require a drop in salary but either stay the same or go up. The funding is there to achieve this.

National pay and grading. The purpose of JE was to produce national pay and grading like lecturing colleagues. First Minister John Swinney is on record saying so in the Scottish Parliament. The employers do not like the idea of equal pay for equal jobs across the sector and they particularly dislike scores they can't suppress but if the purpose of the project was not national pay harmonisation as alluded to by John Swinney, then what was it? The employers' side suggest that harmonisation was

never the point and that a random job evaluation in and of itself was the purpose. We do not think the public would concur.

Appeals process. This could be greatly increased if there is no buy-in or trust in any new approach.

Scope. Why is it that support staff in colleges have to go through this process? Lecturers did not and senior staff can just ask college boards to approve their pay with no transparency or consistency as to who is included and why.

**• Has agreement been reached on the inclusion of back pay for staff whose roles are undergoing evaluation, and if so, are you able to share your views on this?**

While there is an existing collective agreement on backpay to September 2018, one of the reasons given by the employers accompanying their proposal to buy staff out was that it would be too much work and too complicated for college staff to undertake this exercise. Of late, the employers also suggested that they would need to use significant amounts of money to be paid to colleges to undertake this exercise and this could only come from the money set aside for outcomes. While every delay makes this even more complex, if you also consider the number of staff who have left on voluntary severance since then and jobs which have changed, this will make for quite a considerable task.

**• What impact has the slow progress of the job evaluation process had on support staff?**

It has been incorrectly stated that “with any JE scheme there will be ‘winners and losers’”. This should not be the case for this project as there is significant investment to ensure that we can avoid losers (like the lecturers’ upward pay harmonisation of 2017. No detriment is a significant red line issue for support staff).

It is of great detriment, however, that support staff have for many years been doing jobs at a higher grade without being remunerated correctly, unlike senior staff and lecturing colleagues. Some colleges have undertaken local reviews and re-gradings for some staff (typically senior and HR) while telling others they will have to wait until the outcome of the national exercise.

# Review of the Job Evaluation Project

## Stakeholder Brief and Questions

### 1. Background to the Review

The Job Evaluation project has been operating for four years now and as Stage Two - Evaluation of Roles for around **2,500 roles** is nearing completion and progress is being made on Stage Three – Implementation, the Employers' Association have requested that an independent review is carried out.

The review will focus on the first two stages of the project:

- Stage One – Questionnaire Co-ordination and Completion
- Stage Two – Evaluation of Roles

With the aim of:

- Assessing the implementation/effectiveness of the project to date
- Determining what progress has been made
- Identifying lessons learnt in terms of what has worked well and what has not worked as well

And look to identify options for the future, with risks and benefits, before work commences on evaluating new or changed roles since 1<sup>st</sup> September 2018.

### 2. Aim of the Session/Meeting

Safe space to hear your thoughts on the project.

Any feedback gathered will not be attributable to a specific individual or group of people.

It will address both stages of the project and ask questions about three main areas:

1. Process design, outputs and timescales
2. Project governance; and
3. Funding and resources.

### 3. Questions

#### Area 1 - Process design, outputs and timescales

During the first two stages of the project, what are your thoughts regarding the:

- **Process design?** This could be around:
  - The national agreed process itself or associated protocols.
  - Technical advice/support from ECC.
  - The questionnaire template or the queries raised on questionnaires.
  - The co-ordination activity within the colleges or project team.
  - Failures to agree or refusals to participate between line managers and role holders.
  - The evaluation process undertaken by Role Analysts – I believe the model changed considerably from what was originally thought.

**And what could have been done better?**

1. **The NJNC needs to consolidate the ECC/ FEDRA JE scheme into the National Recognition Agreement as 'the only game in town' for determining grades in the Sector. Colleges Scotland and the NJNC secretariat should ensure that there is**

expertise to ensure its continued use. It should be a feature of the architecture like the Local Government SJC Scheme and the NHS Agenda for Change Scheme.

2. Part of the difficulty is that the employers have not committed to that. Have seen the first 'big bang' exercise and the beginning and end of a one off Project. They have not viewed it as an investment in systems and expertise which will allow the sector to establish AND MAINTAIN a modern, equality proofed pay system.
  3. It is a proprietary scheme that was purchased via a joint tender process as best fit for FE sector. It has been used for many years across 100,000s jobs across 100s of Colleges and Universities. Its span can capture the whole job population including Principal posts.
  4. The original Policy & Procedure document was discussed and agreed over many months and in many iterations. All signatories to the NRPA signed up to it as a playbook to determine grades in the sector.
  5. The process can be refined and streamline ( e.g. two analyst panels, double scoring.
  6. As a proprietary scheme the design and questionnaire base can only be done by ECC. The guidance and application of the Scheme has been enhanced and refined by its exposure to a job range and span of colleges in what is an extensive Project.
  7. Completion in the scoring in the time taken with the resources available is a major success story. The trade unions have committed huge resource to this.
  8. The way in which JE has been completed locally historically is entirely unacceptable to the trade union. Opaque, 'black box' exercises with zero transparency and no trade union partnership, mostly by external consultants at cost, and in unilateral implementation negotiations with management.
  9. This approach – national, joint, tu engagement at every stage – is a vast improvement. It is the only way of doing business around pay and grading .
- **Outputs?** This could be around:
    - Evidence presented in the questionnaire.

Money was available to HR And TU facility time to support the workforce to complete questionnaires. Some colleges did this part faster and better than others. The level of support and explanation of the mechanics was not uniform. Inherently a narrative questionnaire ( as opposed.e.g. multiple choice format) has a level of subjectivity. The quality of job descriptions underpinning questionnaires is poor and varied.

In any second phase exercise there could be :

- (a) Better standardised support and briefing on the questionnaire process
- (b) Standardisation of format of job descriptions
- (c) Consideration of national job descriptions for some core roles in core functions.

- Process of agreeing the questionnaire between line manager and role holder as well as the verification process of the HR departments.

There is a disputes resolution process sin the Procedure. No major problems in this aspect.

- The evaluation process – the number of roles which can be evaluated during first and second scoring.



There was the opportunity for individual and group applications. There is a unreasonable level of 'singleton' jobs given the common core functions in support services in colleges.

- The quality checking process.

The initial and continuous training of analysts was of a high standard. The Procedure provided for the Review Group ( Project Manager/ TU lead) and JEWG to do assurance on a continuous basis. This did not happen.

ECC undertook sampling throughout. Also occasional update sessions with panels of analysts.

### What could have been done better?

- **Timescales?** This could be around:
  - Workplan/progress reporting.  
Colleges Scotland did not ensure the Job Evaluation Working party did not fulfil its agreed purpose.
  - The time given to complete the questionnaires. (see above)
  - Delay in questionnaires being submitted.
  - The time taken to complete the evaluation process.(see above)
  - Analyst resources/workloads.  
There was considerable attrition among the analyst panel over the period. The team worked well and management/TU hats were neutralised.
  - Experience of current and past analysts.

There is an absolute need to maintain , develop the current expert panel; and to train and maintain new resources.

- Various stages of slippage on the project. Originally expected 1 year to evaluate the roles but has taken more than 2 years.

Original time estimates were always contested as ambitious by the Trade Union side. The completion time for the scoring phase was reasonable.

### What could have been done better?

#### Area 2 - Project governance

What are your thoughts regarding the governance arrangements for the project? Has this been effective in terms of:

- The partnership working (management and staff side).  
The Policy & Procedure was agreed by Tus (see comments above). The Job Evaluation Working Party did not properly fulfil its governance remit as set out.
- Joint project management arrangements.
- Clarity of each side's objectives and of shared objectives

Lack of clarity and agreement relate to the modelling and design stage of a Pay Model. Not being able to articulate that destination meant there could not be as much clarity of messaging during the hard technical stage of the scoring phase.

- The governance structure and the role of the NJNC, Job Evaluation Working Group, Project Manager, Staff Side Project Lead, Job Evaluation Review Group within the project set-up.

This was agreed by Tus and is entirely fit for purpose in terms of partnership approach. It has been undermined by the Employers – unilateral commissioning of consultant reviews ( two) with no trade union agreement. Also by intervention by line management structures in Colleges Scotland.

- The performance of the groups/individuals making key decisions.

The project manager has impacted negatively on agreements made on how to conclude the 'end of term ' QA process which bottle necked at the end of the schedule due to the failure to do continuously.

- The ability to react and mitigate key risks.)
  - The accountability of the project.)
- Colleges Scotland did not operate the JE WG and governance arrangements as agreed.

### What could have been done better?

#### Area 3 - Funding and resources

What are your thoughts regarding the funding arrangements for the project? Has this been effective in terms of:

- The project budget and timeline over the four-year funding period (2018/19 to 2021/22).

Despite requests the trade unions were not involved in the project budget design and management

- The resources of the project – project team, Role Analysts, Consultants etc.

Massively underestimated

- Have the release arrangements worked well for the Role Analysts?

There has been a lack of general TU facility time to help protect the JE time

The Project could have claimed pay back on FT from colleges. Analysts retained heavy local Shop steward roles. Many worked many unpaid hours.

The 'employment ' treatment of analysts ( last minute temporary extensions) was poorly handled. The wellbeing of analysts has not been safeguarded.

### What could have been done better?

#### Other Areas

Are there any other areas you would like the Review to consider?

#### Going Forward

There is still work to be done – the pay and grading, Appeals and new and changed roles since the 1<sup>st</sup> September 2018 have not been addressed yet.

### What would you like to see going forward in terms of National Job Evaluation for the college sector in Scotland?

See above.

A national resource within NJNC to implement and maintain JE implementation in the sector

We have a national agreement on the treatment of new & changed jobs

A national appeals process for autumn 2022 based on the Rosie Docherty advice